

### **REMARKS**

Applicants appreciate the thorough examination of the present application as evidenced by the Office Action and the allowance of Claims 1-49, 51-60, and 71-78 and indication of allowable subject matter in Claim 63. Applicants submit that the present rejections should be withdrawn for at least the reasons discussed below.

#### **Interview Summary:**

The Applicants' undersigned representative appreciates the courtesy extended by the Examiner during a telephone interview on September 15, 2005. During the interview, Claims 61 and 62 and the Waas reference were discussed. The Examiner indicated that "electrical protection device positioned in series" was being read as broad enough to include the ring 146 of the gas discharge tube 142 of Waas. The amendment to Claim 61 above was also discussed and the Examiner indicated, pending any additional art discovered by the Examiner, that the amendment to Claim 61 would overcome the pending rejection in light of Applicants' arguments, which are repeated below.

#### **The Rejections:**

Claims 61, 62, 79 and 80 stand rejected under 35 U.S.C. § 102 as being anticipated by United States Patent No. 5,836,7915 to Waas *et al.* ("Waas"). Office Action, p.2. Among other things, the Office Action cites to col. 8, lines 13-19 and col. 11, line 63 to col. 12, line 21 of Waas as disclosing "an electrical protection device positioned in series between and electrically connecting the first connector and the second connector." Office Action, p. 2.

Claim 61 has been amended above to recite "the electrical protection device is configured to break the electrical connection between the first connector and the second connector." In contrast, as discussed during the interview, to provide protection, the gas discharge tube 142 of Waas will "shunt voltage to earth in the event there are voltage spikes" through the third ring 148 to the earth junction contact 144. Waas, Col. 12, lines 3-15. In other words, with reference to Figure 15 of Waas, the contacts 214, 216 will both be connected to the contact 144 by the gas discharge tube 142. They will not have an electrical

In re: Mullaney et al.  
Serial No. 09/626,168  
Filed: July 27, 2000  
Page 22 of 22



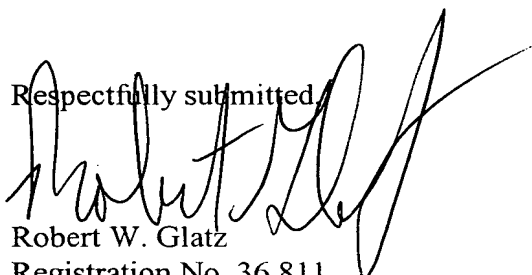
connection there between broken by the gas discharge tube 142. Accordingly, as discussed during the interview, the rejection of Claim 61 should be withdrawn for at least these reasons.

Claims 62, 79 and 80 are patentable at least based on their dependence from Claim 61. In addition, at least some of these claims are separately patentable. For example, Claim 62 recites that the electrical protection device "is a fuse circuit." Contrary to the assertion at page 3 of the Office Action, Applicants submit that a gas discharge tube, as described in Waas, is not a fuse circuit. Applicants further found no reference to "fuse" anywhere in Waas. Accordingly, Claim 62 is separately patentable for at least these additional reasons.

### Conclusion

Applicants respectfully submit that, for the reasons discussed above, the reference cited in the present rejections does not disclose or suggest the present invention as claimed. Accordingly, Applicants respectfully request allowance of all the pending claims and passing this application to issue.

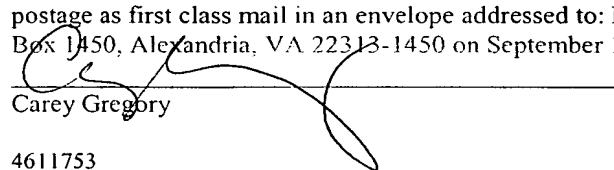
Respectfully submitted,

  
Robert W. Glatz  
Registration No. 36,811

Myers Bigel Sibley & Sajovec  
P.O. Box 37428  
Raleigh, NC 27627  
(919) 854-1400 phone  
(919) 854-1401 fax

### **Certificate of Mailing under 37 CFR 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on September 16, 2005.

  
Carey Gregory

4611753